

1 WEISS & JONES  
Philip E. Weiss, Esq. (No. 152523)  
2 1551 Shelter Island Drive  
San Diego, California 92106  
3 Telephone: (619) 225-8884  
Facsimile: (619) 225-8801  
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Attorneys for Plaintiff  
5 Bartell Hotels, a California Limited Partnership,  
dba Half Moon Anchorage  
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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 BARTELL HOTELS, A California Limited  
Partnership, dba HALF MOON ANCHORAGE,

12 Plaintiff,

13 v.

14 M/Y CLAIRE IRENE, a 1968 Owens Motor  
15 Yacht of Approximately 40-Foot In Length And  
11-Foot In Beam, Bearing California D.M.V.  
16 Registration No. CF 8646 ED, AND ALL OF  
HER ENGINES, TACKLE, ACCESSORIES,  
17 EQUIPMENT, FURNISHINGS AND  
APPURTENANCES, *in rem*,

18 Defendant.  
19  
20

Case No. 07cv2097-L(BLM)

IN ADMIRALTY

SECOND WARRANT FOR ACTION  
IN REM

F.R.C.P. Supplemental Admiralty  
Rules C and E.

46 U.S.C. Sections 30101-31343

21 TO THE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF CALIFORNIA:

22 **WHEREAS** a Verified Complaint has been filed in this Court in the above-entitled action  
23 against the Defendant Vessel M/Y CLAIRE IRENE, a 1968 Owens Motor Yacht of  
24 Approximately 40-Foot In Length And 11-Foot In Beam, Bearing California D.M.V. Registration  
25 No. CF 8646 ED, and all of her engines, tackle, accessories, equipment, furnishings and  
26 appurtenances, and all other necessities thereunto appertaining and belonging (hereinafter  
27 "DEFENDANT VESSEL") upon admiralty and maritime lien claims for trespass, breach of  
28

SECOND WARRANT FOR ACTION IN REM

1 maritime wharfage contract and *quantum meruit*, seeking damages accruing in an amount of not less  
2 than \$4,389.00, plus \$60.00 per day beginning September 21, 2007 on these Counts, and for other  
3 reasons and causes therein stated, and praying for process of warrant for the arrest of said  
4 DEFENDANT VESSEL and appurtenances, and that all persons with an interest in the said vessel  
5 and/or her appurtenances be cited to answer, and that the said vessel and her appurtenances may for  
6 the causes in the said Complaint be condemned and sold to pay the demands of the Plaintiff.

7 **YOU ARE HEREBY COMMANDED** to attach the said DEFENDANT VESSEL and her  
8 appurtenances, and to detain the same in your custody, or in the custody of an authorized Substitute  
9 Custodian, until the further Order of the Court respecting the same, and to give due notice to all  
10 persons claiming the same or having anything to say why the same should not be condemned and  
11 sold pursuant to the Prayer of the said Verified Complaint, that they must file their claim with the  
12 Clerk of this Court within 10 days after execution of this process, or within such additional time as  
13 may be allowed by the Court, and must serve their answers within 20 days after the filing of their  
14 claims.

15 **YOU ARE FURTHER COMMANDED** to file this process in this Court with your return  
16 thereon promptly after execution thereof, and mail a copy thereof to the attorney at whose request  
17 the execution was effected.

18 DATED: January \_\_, 2008

UNITED STATES DISTRICT COURT CLERK

19  
20 By: \_\_\_\_\_

21 Deputy Clerk

22 Respectfully submitted on January ~~10~~, 2008 by:

23 WEISS & JONES

24 By \_\_\_\_\_

25 Philip E. Weiss, Esq.  
26 Attorneys for Plaintiff  
27 Bartell Hotels, a California Limited Partnership,  
28 dba Half Moon Anchorage